

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**MARCO SALAZAR, on behalf of himself
individually, and ALL OTHERS
SIMILARLY SITUATED,**

Plaintiffs,

V.

**ENSIGN UNITED STATES DRILLING
INC., and EXPRESS PAYROLL INC.**

Defendants.

CIVIL ACTION NO. 4:17-cv-00991

JOINT STIPULATION FOR ISSUANCE OF NOTICE AND PROPOSED SCHEDULE

Plaintiff Marco Salazar, on behalf of himself and all others similarly situated, and Defendant Ensign United States Drilling Inc. (“Ensign”) (collectively the “Parties”) hereby file this Stipulation for Issuance of Notice and Proposed Schedule and request Court approval of such stipulation by signing below in the space provided.

Under the terms of the Parties' Stipulation, Plaintiff will amend his Complaint to non-suit without prejudice Defendant Ensign United States Drilling, Inc. and will substitute OFS Global, Inc. and Ensign US Southern Drilling (S.W.) Inc. as defendants.

Further, under the terms of the Parties' Stipulation, Ensign, OFS Global, Inc., and Ensign US Southern Drilling (S.W.) Inc. consent to conditional certification under the Fair Labor Standards Act, 29 U.S.C. § 216(b). The Class Members shall consist of the following:

All current and former welders who performed work for OFS Global, Inc. and/or Ensign US Southern Drilling (S.W.) Inc. and who were classified as independent contractors at any time from three years prior to the date the Court signs this stipulation to the Present.

By agreeing to this stipulation and class definition, Ensign, OFS Global, Inc., and Ensign US Southern Drilling (S.W.) Inc. are not admitting to any of the claims asserted in this lawsuit, nor that Plaintiff or any putative opt-in Plaintiff is entitled to any relief whatsoever. Further, Ensign, OFS Global, Inc., and Ensign US Southern Drilling (S.W.) Inc. are not waiving their right to assert that they are not liable for all or part of any alleged damages that Plaintiff or putative opt-in Plaintiffs claim to have incurred during this time period or their right to later move for decertification, summary judgment, or any other relief to which they may be justly entitled. Ensign, OFS Global, Inc., and Ensign US Southern Drilling (S.W.) Inc. do not agree or stipulate to trial by representative proof, and contend that if this case were to proceed to trial as a collective action, Plaintiff should submit a proposed trial plan explaining how the case can be manageably tried to a jury.

The Parties stipulate that Don Foty of Kennedy Hodges, LLP shall serve as class counsel and that Marco Salazar shall serve as the representative for the class.

The parties stipulate that within **fourteen days (14) days** of the Court approving this stipulation by signing below, Counsel for Ensign shall provide to Plaintiff's counsel the names, last known home addresses, email addresses, if available, and dates of birth, if available, in Ensign's, OFS Global, Inc.'s, and Ensign US Southern Drilling (S.W.) Inc.'s possession for all Class Members as defined above. This information shall be produced in a computer-readable format, such as a Microsoft Excel Spreadsheet.

The Parties shall endeavor to reach an agreement on the language of the Notice of Rights and Consent Form by September 15, 2017. To the extent any disputes exist, the Parties shall submit those disputes to the Court for resolution.

Putative opt-in plaintiffs will have 45 days to file consents with the Court.

SIGNED on _____, 2017.

JUDGE PRESIDING

AGREED AS TO FORM AND SUBSTANCE,

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